

Obtaining a New Birth Certificate After the Adoption Process

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How does the Office of Vital Records know when to prepare a new birth certificate for an adopted child?

The Office of Vital Records (OVR) must receive a Court Report of Adoption before it can prepare a new birth certificate for an adopted child. The Court Report of Adoption is the official form used by courts to report adoptions to Vital Records Offices, and State Registrars cannot legally prepare a new birth certificate for an adopted child until they have received a certified Court Report of Adoption.

Who completes the Court Report of Adoption?

The county clerk of the California Superior Court granting the adoption is required to complete the Court Report of Adoption and transmit it to OVR. If the child was born in another state, OVR will forward the Report to the appropriate Vital Records Office for preparation of the new birth certificate. In like manner, other states forward their Court Reports of Adoption to OVR for preparation of the new birth certificate for a child born in California.

What information is contained in the Court Report of Adoption and how is it used?

The information provided to OVR in the Court Report of Adoption is used to locate and seal the original record of the adopted child and to prepare the new birth certificate. It contains the child's original birth name, sex, date and place of birth, physician or attendant's name and the natural parents' names, as well as the child's new name and information about the adoptive parents.

Can the Court Report of Adoption be changed if it is incorrect?

The Court Report of Adoption can contain no erasures, whiteouts, or other alterations. If the form has been altered in any way, you will have to provide a certified copy of the Order or Decree of Adoption to be retained in the sealed record for verification purposes.

What is the processing time for preparation of a new birth certificate after the adoption takes place?

The normal processing time for preparing a new birth certificate after receipt of the Court Report of Adoption is approximately ten months. This time may be lengthened for a number of reasons, including: the report is not completed correctly or does not contain all the required information, is altered, is not signed, or is not an original certified copy. Please note that processing times are subject to change without notice.

What law authorizes OVR to prepare a new birth certificate for a child born in California?

Health & Safety Code Section 102635 provides:

"A new birth certificate shall be established by the State Registrar upon receipt of a report of adoption from any court of record that has jurisdiction of the child of this State, another state, the District of Columbia, in any territory of the United States, or

in any foreign country, for any child born in California and whose certificate of birth is on file in the Office of the State Registrar.”

Health & Safety Code Section 102690 provides:

“For court reports of adoption received from any court of record of this State, another state, the District of Columbia, or in any territory of the United States, that has jurisdiction of a child born in this State and for whom no original record is on file in the Office of the State Registrar the court report of adoption shall constitute a court order delayed birth registration; provided, the court report contains a statement of the date and place of birth.”

[Can OVR prepare a new birth certificate for a child born in another state?](#)

No. The new birth certificate for a child born in another state can only be prepared by the State Registrar of the state where the child’s original birth certificate is on file.

[My adopted child was born in another state, but the adoption was finalized in California. How can I get my child’s new birth certificate?](#)

OVR receives all Court Reports of Adoption filed in California. If the child was not born in California, OVR forwards the Court Report of Adoption to the appropriate state for preparation of the new birth certificate. Health & Safety Code Section 102630 provides: *“The court reports of adoption that are received by the State Registrar for births that occurred in another state, the District of Columbia, in any territory of the United States, or Canada shall be transmitted to the registration authority of the place of birth.”*

OVR does not keep records of Court Reports of Adoption forwarded to other states. If your child was not born in California, and you have questions about the birth certificate, you will need to contact the Vital Records Office in the state where your child was born.

[My child was born in a foreign country, but the adoption was finalized in California. How can I get a birth certificate for my child?](#)

If your child was born in a foreign country, but the adoption was finalized in California, OVR will prepare a Court Order Delayed Registration of Birth for your child if the Court Report of Adoption contains a statement of the date and place of birth. Health & Safety Code Section 102695 provides: *“A court report of adoption received from any court of record in this State, wherein the birth occurred outside the United States, the territories of the United States, or Canada shall constitute a court order delayed registration of birth; provided, the court report contains a statement of the date and place of birth.”*

[What are the fees for a new birth certificate when the child was adopted in California after 1971?](#)

If the Adoption was finalized in California after 1971, OVR will prepare the new birth certificate and provide one certified copy of the newly prepared record at no cost.

Fees paid to the court at the time of filing a petition in an adoption proceeding include the fee for this service. Additional certified copies are \$15.00 each.

What are the fees for a new birth certificate if the child was adopted in California prior to 1971?

If the Adoption was finalized in California before 1971, the processing fee to prepare a new birth certificate is \$20 and includes one certified copy. Additional certified copies are \$15.00 each.

What are the fees for a new birth certificate when the child was born in California, but the adoption was finalized in a state other than California?

If the Adoption was finalized in a state other than California, the processing fee is \$20.00 and includes one certified copy. Additional certified copies are \$15.00 each.

How do I obtain a copy of the new birth certificate once it has been prepared?

When the Court Report of Adoption for a child born in California indicates that the adoptive parents want a new birth certificate prepared, OVR will prepare the new certificate and mail a certified copy to the address indicated on the Court Report of Adoption. Parents do not have to apply to OVR unless they desire additional copies.

The adoption was finalized more than a year ago and I never received my certified copy. How can I obtain a copy, and what is the cost?

If OVR received the Court Report of Adoption, amended the record, and issued a certified copy that has not been returned by the U. S. Postal Service, you will need to pay \$15.00 to obtain a new copy. You may order the certified copy by completing an [Application for Certified Copy of Birth Record](#) and submitting the application to OVR, along with the \$15.00 fee.

What happens to the adoptee's original birth certificate after the new birth certificate is prepared?

When a new birth certificate is established after an adoption, the original record is sealed along with the Court Report of Adoption. No information, other than the newly issued birth certificate, can be released except upon order of the Superior Court of the county of residence of the adopted child or the Superior Court of the county that granted the order of adoption.

I'm adopted. Can I get a copy of my original birth certificate?

Under existing law, OVR cannot release a copy of the original birth certificate of an adopted person without a court order from the Superior Court of the county of residence of the adopted person, or the Superior Court of the county granting the order of adoption. Health & Safety Code Section 102705 provides: *"All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon the order of the superior court of the county of residence of*

the adopted child or the superior court of the county granting the order of adoption....”

How do I file a petition to inspect my original birth certificate?

You must contact the appropriate Superior Court for information regarding the specific procedures for filing your petition. You may want to access the following web site for additional information: www.courtinfo.ca.gov. Any order granted must refer to Health & Safety Code Section 102705 (formerly Section 10439) or contain the statement that the judge has reviewed the record. Health & Safety Code Section 102705 provides: *“.... No such order shall be granted by the superior court unless a verified petition setting forth facts showing the necessity of the order has been presented to the court and good and compelling cause is shown for the granting of the order. The clerk of the superior court shall send a copy of the petition to the State Department of Social Services and the department shall send a copy of all records and information it has concerning the adopted person with the name and address of the natural parents removed to the court. The court must review these records before making an order **and the order should so state....”***

What happens after I obtain a court order to inspect my original birth certificate?

Once the court order has been granted, you will need to submit the following items to OVR to receive a certified copy of the original birth certificate: a \$15.00 check or money order payable to the Office of Vital Records, a **certified copy** of the order releasing contents of the sealed record (an uncertified copy is not acceptable), and a completed [Application for Certified Copy of Birth Record](#). Mail your request to the Office of Vital Records, P.O. Box 730241, Sacramento, CA 94244-0241. The current processing time for certified copies is approximately 10-12 weeks.

I'm adopted. Can I obtain any background information about myself?

You may be able to obtain some non-identifying background information from the Department of Social Services. If you would like to know more about this option, please contact the Department of Social Services, Adoptions Branch, 744 P Street, MS 19-31, Sacramento, CA 95814, (916) 322-3778, FAX (916) 445-9125, Toll Free 1-800-KIDS-4-US. Written requests for non-identifying background information require your birth date and place, the full names of both adoptive parents, and your notarized signature.